



# House of Representatives

General Assembly

**File No. 405**

February Session, 2022

Substitute House Bill No. 5445

*House of Representatives, April 11, 2022*

The Committee on Labor and Public Employees reported through REP. PORTER of the 94th Dist., Chairperson of the Committee on the part of the House, that the substitute bill ought to pass.

## ***AN ACT CONCERNING STATE STAFFING LEVELS.***

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. (NEW) (*Effective from passage*) (a) The commissioner of each  
2 state agency and the superintendent of the technical high school system  
3 shall automatically refill all vacant positions, including, but not limited  
4 to, any vacancies that are caused by retirements that occur during the  
5 fiscal years ending June 30, 2022, and June 30, 2023.

6 (b) The commissioners of each state agency and the superintendent  
7 of the technical high school system shall, jointly, submit a plan for filling  
8 all staffing vacancies to the General Assembly not later than thirty days  
9 after the effective date of this section and quarterly thereafter.

10 Sec. 2. (NEW) (*Effective from passage*) The Commissioner of  
11 Administrative Services, the superintendent of the technical high school  
12 system and the human resources department of each state agency shall  
13 keep open requests for applications for all job classifications and hiring

14 shall take place continuously for all vacant positions.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>from passage</i>	New section
Sec. 2	<i>from passage</i>	New section

**Statement of Legislative Commissioners:**

In Section 1(b) "shall submit a plan" was changed to "shall, jointly, submit a plan" for clarity, "all vacancies" was changed to "all staffing vacancies" for clarity and "within thirty days from" was changed to "not later than thirty days after" for consistency with standard drafting conventions.

**LAB**      *Joint Favorable Subst. -LCO*

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*The following Fiscal Impact Statement and Bill Analysis are prepared for the benefit of the members of the General Assembly, solely for purposes of information, summarization and explanation and do not represent the intent of the General Assembly or either chamber thereof for any purpose. In general, fiscal impacts are based upon a variety of informational sources, including the analyst's professional knowledge. Whenever applicable, agency data is consulted as part of the analysis, however final products do not necessarily reflect an assessment from any specific department.*

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### **OFA Fiscal Note**

**State Impact:** See Below

**Municipal Impact:** None

### **Explanation**

This bill requires each state agency's commissioner and the technical high school system superintendent to automatically refill any vacant positions, including those caused by retirements during FYs 22 and 23.

In addition, the bill requires: (1) the Department of Administrative Services (DAS), the technical high school system superintendent, and each state agency's human resources department to keep open requests for applications for all job classifications, and (2) hiring to take place continuously for all vacant positions.

Continuously hiring for all vacant positions would preclude a potentially significant savings to the state associated with turnover and attrition. Further, the state will incur significant administrative costs (including the hiring of additional HR Specialists), to handle continuously hiring for all vacant positions with recruitment, screening and reviewing applications, interviews and examinations.

### **The Out Years**

**State Impact:** None

**Municipal Impact:** None

**OLR Bill Analysis****sHB 5445*****AN ACT CONCERNING STATE STAFFING LEVELS.*****SUMMARY**

This bill requires each state agency's commissioner and the technical high school system superintendent to automatically refill any vacant positions, including those caused by retirements during FYs 22 and 23. It also requires the commissioners and superintendent to jointly submit to the legislature a plan for filling all staffing vacancies. They must do so within 30 days after the bill takes effect and then quarterly after that.

In addition, the bill requires (1) the administrative services commissioner, the technical high school system superintendent, and each state agency's human resources department to keep open requests for applications for all job classifications and (2) hiring to take place continuously for all vacant positions.

(The bill does not further specify what constitutes "automatically" refilling a position or "continuous" hiring. These provisions, however, may conflict with the State Personnel Act (CGS § 5-193 et seq.), which establishes various criteria, requirements, and procedures for hiring state employees.)

EFFECTIVE DATE: Upon passage

**BACKGROUND*****Related Bill***

sHB 5441, reported favorably by the Labor and Public Employees Committee, generally requires each state agency to (1) fill all open positions to levels appropriated in the 2022-2023 biennial budget and (2) adopt continuous recruitment practices to fill critical shortage positions, as appropriated in the budget, with no approval from the Department

of Administrative Services or Office of Policy and Management needed.

sSB 215, favorably reported by the Transportation Committee, requires the DAS commissioner to place entry-level engineering and maintainer positions and level two maintainer positions at the Department of Transportation on continuous recruitment.

**COMMITTEE ACTION**

Labor and Public Employees Committee

Joint Favorable

Yea 9 Nay 4 (03/24/2022)